

SPEECH

OF

HON. CHARLES DURKEE, OF WISCONSIN,

ON

THE CALIFORNIA QUESTION.

Made in the House of Representatives, June 10, 1850.

Mr. DURKEE said:

Mr. CHAIRMAN: We live in the most interesting period of the world's history. Revolutions and convulsions are moving the Old World, while general political agitation pervades the New. In both hemispheres the struggle is the same. It is for constitutional liberty. There is a difference, however, in the *modus operandi*. On the other side of the Atlantic the struggle is one of physical force. Here it consists of debates in our halls of legislation, and discussions through the press, and among the people.

This is as it should be. It will be recollected, that at the close of the late war with Mexico, in negotiating our treaty of peace, we pledged ourselves to each other that, if we fought again, we would fight on Christian principles. Sir, I believe we are living up to the spirit of that treaty stipulation. The war now waged in these Halls, and throughout the Republic, is, in my opinion, conducted on Christian principles. It is a movement of self-examination. It is a warfare between Truth and Error—a contest between Liberty and Despotism. It seeks information. It seeks to understand principles, in order to the diffusion of knowledge. It seeks to enlighten the people as to their rights and responsibilities.

Glorious warfare! How much more honorable and becoming an enlightened people, than the wicked Florida war, where we fought with the weapons of death against a savage people. It was there where the American name was disgraced, by shamelessly violating the flag of truce in the seizure of the noble-hearted Osceola—to which should be added the cost of thousands of lives quenched in blood, and forty millions of treasure worse than wasted! The Mexican war was similar in its origin, but more vast in extent, and in its enormities.

Thank Heaven, Mr. Chairman, these revolting scenes have ceased! We have passed to a more pleasing contest. And what more interesting spectacle could we behold than that before us?

Here the Representatives of thirty sovereign States are discussing the great principles of free government—the duties and responsibilities of nations.

Sir, it was said by a distinguished statesman, on a very interesting occasion, that when the people weep at the loss of the founders of the Republic, it gives evidence that the Republic itself will become immortal. Notwithstanding the present appearance in our political atmosphere may seem to some alarming, to me it indicates that we have already entered upon the career of immortality.

Mr. Chairman, we have entered a wide, as well as an important field, in this long and protracted discussion of the rights of American citizens. This struggle may be considered the second American Revolution. It is not, as many have stated, sectional; nor is it merely the question of African slavery that we are considering. It is a reiteration of the principles of the Declaration of American Independence; it is the sending forth of the great principle of reform from the bosom of humanity. It seeks to redeem the eight hundred millions that are now crushed under the iron heel of Despotism in a variety of forms. It is what Mr. Jefferson foresaw in making the following remarks:

"When the war is over, and freedom won, people must make a new declaration. They must declare the rights of man, the individual, sacred above all craft in priesthood or government. They must, at one blow, put an end to all the trickery of English law, which is garnered up in the charnel of ages, binding the heart and will with lies. They must perpetuate republican truth, by making the homestead of every man a holy thing, which no law can touch, no juggle wrest from his wife and children! Until this is done, the Revolution will have been fought in vain."

These principles, Mr. Chairman, the champions of Land Reform have been diffusing through all the States with unparalleled success. The young State of Wisconsin, which it is my lot to represent in part on this floor, and several other States, have embraced them. The American is beginning to understand these principles as in holy consonance with the objects of civil government, which

is not a chess-board for political gamblers, but a divine principle, that seeks to enlighten the ignorant and protect the weak. But the progress we have already made, and the prospect in the still more glorious future, has greatly alarmed the leaders of the old politicians. Just as the Republic begins to use its arms, its legs, and its reasoning faculties, the cry is "dissolution of the Union." A general conflagration suddenly threatens the Republic. Then agitation must cease—investigation must be suppressed by administering an opiate in the form of a compromise. Why, sir, these gentlemen were not alarmed for the welfare of our country by the "agitation" of the Mexican war, notwithstanding its bloody terrors! Hear the remarks of a distinguished statesman at Lexington, Kentucky. He said: "This war is unlike that of 1812. That was a war of defence—this is a war of aggression, highly offensive on our part. The Mexicans are fighting for their homes and fire-sides!" Yet, if Congress would only say for what object it shall be prosecuted, no matter if it was cruel and unjust, the whole nation should give it its hearty support! Such was in substance the concluding language of Mr. Clay. But, if we attempt to discuss reform principles at home, the country is at once in great danger. Public discussion and political agitation must be suppressed.

Why, sir, agitation is the life of a Republic. It is the very element that distinguishes a free government from a despotism! The human mind is an active principle, and, unless it be constantly enlisted by the spirit of progress, it will be sure to move in a retrogressive direction. It cannot stand still. Then let us continue to agitate the public mind in regard to every wrong, until all the evils that afflict us are redressed, and our beloved country rescued from the cruel hand of Oppression.

Let us, Mr. Chairman, look back at some of the great evils that have grown upon us in the absence of free discussion, and which, we are told, now threaten the very existence of the Republic. There are those now who deny the principles of the Declaration of Independence. It pains me to find some such in this hall. Slavery, which was once universally considered a vice, is now advocated as a virtue—nay, a religious institution. The slaves, in our own country, have increased from five hundred thousand to three millions! Deeds that we have made piracy upon our statute books, are now licensed by this Government in this national District. Here, for the sum of four hundred dollars a year, you can carry on, as others are now doing, under the very shadow of this Capitol, a traffic in the bodies and souls of men, women, and children.

Let me read a few extracts from laws for whose continuance a single hour, you and I, Mr. Chairman, are responsible:

"After the first of August next, it shall not be lawful for any person to trade or traffic in slaves, within the limits of this corporation, without first obtaining a license therefor, as hereinafter provided, from the Mayor, (who is hereby authorized to issue the same, to be and remain in force for the

term of one year,) for which the following tax shall be paid at the time of making the same, viz: for a license to trade or traffic in slaves for profit, whether as agent or otherwise, four hundred dollars!"

Here are two others relating to the criminal jurisprudence of our Republic:

"If any slave shall happen to be slain for refusing to surrender himself or herself contrary to law, or in unlawfully resisting any officer or other person who shall apprehend or endeavor to apprehend such slave, such officer or other person, so killing such slave, shall be indemnified from any prosecution for such killing."

The following relates to punishing slaves guilty of arson:

"When any negro, or other slave, shall be convicted by confession or verdict of a jury, of any petit treason, or burning of dwelling-houses, it shall be lawful for the justices, before whom such conviction shall be, to give judgment against such negro or other slave—to have the right hand cut off, to be hanged in the usual manner, the head severed from the body, the body divided into four quarters, the head and quarters set up in the most public place where such fact was committed."

A law, still in force here, requires every free black, or mulatto person, to prove his freedom, or be committed to prison and sold for the jail fees! Citizens of the free States, who have contributed, by their votes, to the election of our President, if their complexion happens to be dark, are liable to the penalty of this law, unless they can produce a certificate of their freedom from some oppressor who has subverted the Government of God. Yes, under the process of laws authorized by this Government, he is liable to be sold into slavery.

These, sir, are some of the fruits of non-agitation. Their growth in the very heart of the Republic has weakened our political fabric, and poisoned the moral sensibilities of the nation. See the effects on our navy in the degradation of American seamen, with the disgraceful "cat!" Behold our conduct towards the poor Indian! Watch its effects on the political parties of our country, and even on our diplomatic relations. We have employed our greatest talents in endeavoring to incorporate into international law the recognition of slavery, and thereby have disgraced the Republic in the eyes of Europeans. We have just terminated the appalling scenes of a bloody and cruel war, carried on against a sister Republic that was emerging from a state of ignorance and superstition, and beginning to imitate us in self-government—a people who had been already sufficiently tortured by political demagogues and military chieftains; and we are now striving to forge chains of slavery for present and yet unborn millions by the organization of pro-slavery governments over the territories acquired by that very war. We are urged to grant new facilities for the arrest of the panting fugitive who is seeking for freedom, and for his return to a state of cruel, life-long bondage!

Mr. Chairman, these are some of the great national vices that have justly caused agitation throughout the whole Confederacy. The attention of the American People has been arrested by the heroism of noble pioneers in the cause of the oppressed. They feel deeply grieved at these outrages committed against their countrymen, which

demand redress at our hands, and a guarantee against the future. Yet we are bidden by distinguished men to hush! hush!—you must not agitate the country with these fanatical questions! We are further told that we have a great mission abroad, in order to divert our minds from wrongs at home! Sir, I brand this cry with hypocrisy. Look at our domestic despotism. We have drawn a geographical line, and said, in our statute books, if any man shall dare to kidnap and sell his brother on the one side, he shall be considered a pirate, and be hung up to the yard-arm; but, on the other, even in the very heart of the Republic, if he will pay four hundred dollars a year, he may commit the worst of piracy with impunity! This is American law—the law of this “glorious Union,” which boasts of its justice, its equality, and fraternity. Yes, sir, this, I am sorry to say, seems to be our highest conception of moral consistency!

A member of this House—I mean the gentleman from Maryland [Mr. McLANE]—said he did not believe the Union could exist, if the great body of the Northern Representatives come here complaining that slavery was a national disgrace and a moral wrong. Mr. Chairman, I understand that one of the paramount objects gained by establishing a Federal Legislature, was free discussion on all proper subjects of legislation, directly or indirectly connected with the General Government, not even excluding the Constitution itself; and let me say, once for all, that when free debate, conducted in a courteous manner, with reference to any wrong existing in our common country, shall tend to dissolve the Union, I shall be ready to say, let it be dissolved! I shall not consent to have a padlock put upon my lips under any such plea! A union that is a barrier to free discussion, which is one of the legitimate means of progress and reform, is a union of bigotry and superstition; a union of arrogance and cowardice, alike at war with reason and humanity. Sir, this silly talk and these threats of dissolving the Union of these States, is not respectful to the understanding of the People. The Union that holds us together, is of a much higher character than slavery. If it were not, my prayer would be that it be blown to the four winds of heaven! Yes, sir, it is a union of intelligence. It is a union of consanguinity. It is a union bound with the strong ties of social, political, and commercial interests. It is a union wherein the more human frailties are discussed, and the wrongs that tend to weaken it are condemned, the stronger will it be.

Mr. Chairman, we have heard a great deal said during the last few months, in this Hall, about settling the difficulties that now agitate Congress and the country. Various projects of compromise and concessions have been proposed. Why, there is but one way to settle this matter, and that is to cease to do wrong, and learn to do right. Take off the handcuffs and fetters, and expunge from our statute books the barbarous laws that deprive several thousands of American citizens of their God-given rights! Sir, what would gentlemen think if their own dear wives and children were wrested

from them without any charge of crime? Could your sympathy be suppressed in order to have the difficulty compromised? Would you be willing to compromise, and feel satisfied to have only a part of your family restored? Or, if it was but one of your children that was taken, would you be willing to have that child divided? No, you would reject any such proposition with indignation! Your affection could not be annihilated by any legislative act. Neither can the dearest sympathies of the Nation's heart be driven out by any act of Congress. Sir, we appear, like children, unmindful of the age in which we live, when we make such foolish propositions!

Sir, you may pass your Compromise bill—which is well named, because it compromises the integrity of the American character, while sacrificing the interests of humanity—and you may add to it (what will be looked upon by foreign nations as a bribe) the sum of ten millions of dollars to pay for Texas scrip, now in the hands of speculators, worth but one million, and you will behold it swallowed up by the indignation of the People, quicker than were the rods of the ancient Egyptian conjurers!

But, sir, with a full knowledge of all our national frailties, and the strong indications of the People toward reforms much needed, we have heard stated on this floor, that, unless the Federal Government shall tolerate and protect slavery wherever it has jurisdiction, its functions shall be arrested by a one-fifth rule! I allude to the declaration of the honorable gentleman from North Carolina, [Mr. CLINGMAN.] This seems to be his notion, that a minority has a right to do whatever would be right for a majority to do; and assuming, as he does, that the minority has a political right to judge as to what would be right for the majority, he virtually repudiates the Democratic principle of the majority's right to control. Why, sir, Nicholas of Russia would need no stronger argument than this to sustain what he claims to be a Divine right—the sole right to govern an empire.

But, sir, notwithstanding the gentleman may be honest in his views, it looks to me extremely arrogant and disrespectful to Congress. I do not believe the Southern representation generally sympathize with him in what appears to be his settled purpose. Why, Mr. Chairman, if I thought the American Congress was about to so far degrade itself as to yield to this principle, and that the People would ratify it, I would move to expunge the Declaration of Independence, wrap the Republic in the winding-sheet of death, and consign it to the tomb of oblivion!

If the fondest hopes of Washington, Adams, Hancock, Jefferson, and Lafayette, are to be thus blasted, and the grand experiment of self-government is to fail, the quicker it is known the better. It should be known to the struggling masses of the Old World, who are watching our experiment so anxiously and hopefully. They should no longer be misled. But, sir, I have no such fears, especially when I hear other high-minded Southern men say, that they are willing to discuss the

subject of slavery, and if it be wrong, to let it fall.

Mr Chairman, the position of the Free-Soilers is attacked by two classes of politicians. One is composed of the old political leaders, whose principal arguments are cant words. They cry "fanaticism," and threaten "dissolution of the Union"—a sort of "mad-dog" cry. Why do they not meet us in debate, and show, by argument, the soundness of their principles and the fallacy of ours?—show, if they can, that theirs are in harmony with the great principles of progress and reform? There is, however, Mr. Chairman, one exception in this respect among their "leaders." The distinguished Senator from Massachusetts [Mr. WEBSTER] has undertaken to show that both the measures and conduct of a certain class, (meaning, I suppose, the Anti-Slavery and Free-Soil men,) are highly prejudicial to the interests of the slave and the cause of liberty throughout the Union. One of the principal charges which he prefers against us is, that we make too broad a distinction between right and wrong. Another is, that we are impatient men—too impatient, always, to give heed to the admonition of St. Paul, "that we are not to do evil that good may come"—too impatient to wait for the slow progress of moral causes in the improvement of mankind. In his bill of indictment he has one other complaint: It is said we deal with morals as with mathematics, and that we think what is right may be distinguished from what is wrong with the precision of an algebraic equation. Well, Mr. Chairman, we *do* think the questions of morals, when applied to freedom and slavery, are more clear than any question in algebra. The former requires the slow process of reason, the latter are self-evident—springing instantaneously from our moral consciousness. Wonderful charge! The Free Soil men may feel proud of such allegations, coming from their most distinguished political opponents in this great controversy. But the time has been when the cause of civil liberty was better understood, even by the complainant himself. Let me read an extract from his eloquent speech, delivered in Faneuil Hall, August 2, 1826, in commemoration of the lives and services of John Adams and Thomas Jefferson. Speaking of the eloquence of Mr. Adams, in advocating the cause of freedom, he said: "True eloquence does not consist in speech. * * * * *

the graces taught in the schools, the costly ornaments and studied contrivances of speech, shock and disgust men, when their own lives and the fate of their wives, their children; and their country, hang on the decision of the hour. Then words have lost their power, rhetoric is vain, and elaborate oratory contemptible. Even genius itself then feels rebuked and subdued as in the presence of higher qualities. Then patriotism is eloquent—then self-devotion is eloquent—the clear conception running the deductions of logic—the high purpose, the firm resolve, the dauntless spirit speaking on the tongue, beaming from the eye, informing every feature, and urging the whole man onward, right on-

ward, to his object. This is eloquence; or, rather, it is something greater and higher than all eloquence—it is action—noble, sublime, godlike action."

These, Mr. Chairman, were the Free Soil principles of John Adams, Thomas Jefferson, and their compatriots of 1776; they are the Free Soil principles of 1850; they are not merely a theory without action; they unite both with fraternal affection—the highest principle of our nature; they propose means to ends—the deliverance of our country and our countrymen from oppression; they practically acknowledge the great truth, that God has made of one blood all nations of men to dwell on all the face of the earth. But, alas! with some of our public men how things have changed! In 1826, the cause of liberty was clearer than reason. Now, it is "fanaticism" to believe it deducible from reason. No wonder we have heard the exclamations—"Where am I?" and "Where shall I go?"

Sir, I have said this much in our own defence against the charges of the Massachusetts Senator. I will now dismiss the subject by asking him a question, if he will condescend to answer it. After we have paid two hundred millions of dollars to expatriate the free blacks of our country, abandoned the Wilmot Proviso, and created four new slave States from Texas, and expended all our energies in catching runaway slaves, how much moral force will be left to remove the evils of slavery and other public crimes that afflict our country? This, I presume, can be solved with mathematical precision, if the more abstruse question cannot, viz: *the right a man has to himself*. When this is satisfactorily answered, we shall have more confidence in the distinguished Senator as an expounder of the Scriptures, not to say an expounder of the Constitution, and a political guide in the affairs of State.

Mr. Chairman, there are some other political creeds and rules brought forward here, concerning which I would like to say a word. I allude to the doctrines promulgated by the gentleman from New York, [Mr. DUEK], and the gentleman from Pennsylvania, [Mr. ROSS]. The gentleman from New York lays down a principle, in a speech that he recently delivered in this hall, that completely annihilates individuality by consigning the conscience to the control of a majority in all questions of right and wrong connected with the political affairs of our country. Speaking of our duties under the extradition clause of our Constitution, he says:

"I do not doubt, sir, that there are good men strongly opposed to slavery, and as strongly attached to the Union, and who desire to discharge their obligations to God and to man, who are disturbed with scruples as to their duties under the provisions of the Constitution. There is something strongly repugnant to their feelings in the arrest and surrender of a fugitive, not from justice, but from servitude. I respect such scruples. I think, however, that they have their origin partly in an error as to the character of the constitutional requisition, and partly in a shallow philosophy, that confuses the boundaries that separate the acts of which private conscience is the guide, from those which fall within the province of government to direct. If governments be legitimate, they have their functions; and to laws passed in the exercise of such functions, obedience is due. This is a duty enjoined upon us equally by reason and Christianity. It is not a

harder thing to surrender a fugitive slave, than to hang an innocent man; yet, where the question of guilt or innocence has been determined in accordance with the prescribed forms, it is the duty of the sheriff to execute the sentence of the law. Equally is it the duty of a soldier to fight in battle, without subjecting to a preliminary review the judgment of his Government in declaring war. Otherwise, if every individual were to sit in judgment on the acts of his Government, and to obey or disobey, according to his notions of what the law ought to be, we should be exposed to anarchy at home, and be undefended against aggression from abroad."

Sir, I look upon this kind of sophistry as more pernicious than the open advocacy of absolute despotism. It amounts to this: *You may commit any crime, even murder itself, if you only have the majority's sanction to protect you in it, under the forms of law!* Sir, I wish to enter my most solemn protest against this idea of committing our consciences to the care of others. It is at variance with religion and common sense. Christianity inculcates our submission to wrongs inflicted, but invariably forbids our inflicting wrongs upon others, even should the civil law require it. The gentleman's philosophy reminds me of an anecdote that was told of a slave who was seen walking in the rain with his hat under his arm. Being accosted by some one who inquired why he did not wear his hat on his head, he replied that his hat was his own, but that his head was his master's. So it is with this class of political philosophers. Their consciences—their very souls—belong to their party, if their party be in power; otherwise to the party of their political opponents who happen to be in the ascendancy! Under this rule, our own Washingtons, and Jacksons, and Jeffersons; the Mitchells and O'Briens of down-trodden Ireland; the Kossuths and Ujhazys of Hungary; would be stamped as counterfeits—for they only submitted to that which was right, scouting the standard thus sought to be furnished for their consciences! Sir, these are not the enlightened sentiments of Christianity. They belong to the religion of the Brahmins. Let me here read a short extract from their creed: "Whoever desires to be happy, must constantly endeavor to conquer himself and become like the original essence. To accomplish this, he must accustom himself not to act, think, feel, or desire." Their directions on this head were summed up in this precept: "*Endeavor to annihilate thyself; for as soon as thou ceasest to be thyself, thou becomest one with God, and returnest into his being.*" With politicians, whose allegiance is stronger to party than to correct principle, it should read thus: "*Thou becomest one with thy party, and returnest into its being!*" Sir, shall we become mere *automatons*, or shall we continue *men*?

I have dwelt longer than I intended upon this sentiment of the gentleman from New York, [Mr. DUER,] because, in this age of degeneracy, it is a prevailing error that we have a licence to violate the laws of God, in public life, which we have not in private—as if our political life could be separated from our private, and the one be set above the other.

Let me now, Mr. Chairman, advert to the Democratic creed of 1844, advocated a few days since by the gentleman from Pennsylvania, [Mr. ROSS.]

It is briefly expressed in the sentiment that Congress has no right to do indirectly what it has not the power to do directly. Monstrous doctrine! It reaches back into the dark ages. It is a regular pro-slavery creed of the worst kind—just such a sentiment as is necessary to perpetuate slave institutions. It operates like this: While South Carolina hangs for stealing, and Louisiana for a mere blow, as in the case of the slave Pauline, Congress must not repudiate nor disparage any such punishment in the District of Columbia, according to the gentleman's logic, because it will have a tendency to reform the criminal jurisprudence of these two States, and thus do indirectly what it has not the power to do directly. In other words, we have no right to teach by example! So of the slave trade, gambling, or any other vice that may be practiced in any of the States. It must not be suppressed here, because it will have a tendency, indirectly, to abolish the same vice in the States! This creed presupposes that we have no political rights except what have been conferred by the Constitution; whereas the Constitution was formed to *protect* all the rights given us by God. Seeing, then, that the General Government, under this creed, cannot teach by example, and yet, as we are told, has a great mission abroad, I suppose it can proceed in no other way, except under the war power. It comes to this, then: that the great "mission" assigned to us in the regeneration of the world, is to be fulfilled by practicing iniquity at home and aggression abroad! This certainly would be doing what we have a right to do, "directly under the war power, delegated to the General Government in the Constitution of the United States." But does its *directness* make it right?

Sir, looking at these flimsy arguments, and the very singular attitude of the old political parties, who can wonder at this frank admission of the gentleman from Tennessee, [Mr. EWING,] a few days since, in a speech delivered on this floor? He said:

"It is a matter of astonishment to me that the Whigs and Democrats, the members of the true national parties, do not perceive the danger of leaving these Territorial questions open for another canvass before the people. It is as clear as the noonday sun, that unless this agitation shall be quieted in some reasonable time, they will both be engulfed in the abyss of abolitionism. That party is aggressive in its character, new in its organization, and resting its basis apparently, on religion and morality. The party questions which formerly separated the two national parties have nearly spent their force, and, while in this *demoralized condition*, the new army of Free-Soilism is thundering on the flank of either division! The destiny of the old parties is certain, unless they overturn the base of abolitionism by an extinction of the material from which it is formed."

Sir, I think the gentleman very frank and truthful in this admission that they have exhausted their old issues, and are now "demoralized." The only real party issue that I have noticed during the whole session, has been the appointment of committees to look after each other's past profligacy and extravagance, although they seem to keep up a farcical line of division in name merely. It is evident to every observant mind, that in our political affairs we are now in a state of transition. The pressure of the age is forcing us into new positions. We are obliged to take sides on the

great question of questions—THE RIGHTS OF MAN. No compromise measure, even should one pass, can possibly prevent it!

But, Mr. Chairman, I have said there were two classes of our political opponents in this controversy. Having noticed briefly the views of one class, I will now say a few words of the other. These gentlemen seem to be honest and bold, and believe that slavery is a proper institution, not incompatible with Christianity. This sentiment, Mr. Chairman, in my opinion, is a great error. But, while I say this, I must confess that they occupy much more consistent ground than other gentlemen, who have seats on this floor, who admit slavery to be wrong, and charge the sin upon our Southern brethren, while they, at the same time, offer to go into partnership with them under a contract of compromise! Let me ask such gentlemen how they expect to convince their opponents that they are wrong, when their own practice denies their sincerity? Many Southern gentlemen believe the principles they contend for are right. Hence they refuse to compromise. Sir, I admire their firmness. It is to the boldness of this class, and to the firmness of the Free-Soilers, the country is to look for deliverance. They possess individuality and firmness—essential attributes for the promotion of knowledge and civilization. This class of Southerners are fair and honorable in discussing the matter in dispute. They meet us fairly, in open debate, and say, if slavery cannot bear the test of reason and argument, let it fall.

Here let me say, that I was highly pleased the other day, in the Senate, while listening to one of the Senators from Louisiana, [Mr. SOULE,] who remarked that he did not say it would be a sufficient cause for the dissolution of the Union, if the Wilmot Proviso should be adopted; but, while he believed it wrong, he thought it more honorable to meet the question boldly, rather than to shrink from the contest by entering into a *compromise of principle*—a compromise full of ambiguity and difficulty itself; and, even should he fall in the struggle, he would fall contending for his rights and the honor of his State—that there would be a moral grandeur in the resignation to such a fate, far higher than a coöperation with the measure then before the Senate.

Here, sir, are brought to view some of the highest attributes of the human mind, individuality of character and integrity of purpose. The absence of only one other cardinal principle, in my opinion, mars the symmetry and perfection of character displayed in the position occupied by that distinguished Senator. I look upon him, and many other Southern members of Congress, as I do on Saul of Tarsus, while he was being educated at the feet of Gamaliel. I hope to see them standing hereafter, as Paul, the great Apostle of the Gentiles, after he finished his collegiate studies in the third heavens. Their generous impulses and frankness of character admirably qualify them to become pioneers in the cause of civil liberty throughout the world. This will be, after they shall have made the discovery that God is no

respector of persons, and that our highest enjoyment is found in seeking the elevation of the entire human race.

The gentleman from Mississippi [Mr. BROWN] thinks slavery a social and religious blessing. The gentleman from Alabama [Mr. ALSTON] quotes Scripture, under the old and new dispensations, to prove it. All I have to say in reply to his arguments is this: that even if the Jews did maintain slavery, you might now with as much propriety revive the law that required a person to be stoned to death for picking up sticks on the Sabbath day. As regards his quotation from the New Testament, where Christ enjoined servants to be obedient to their masters, (taking it for granted, for argument's sake, that these servants were slaves,) it does not justify slavery any more than the injunction, "if you are struck on one cheek, turn the other also," justifies the offender who strikes you.

The distinguished Senator from Massachusetts [Mr. WEBSTER] has also volunteered with his correspondent, the late Commodore Stockton, to submit scriptural arguments for the justification of slavery. He has given us what I consider a technical argument, to show that the Christian religion favors the continuance of slavery. He tells us that, "at the introduction of Christianity, the Roman world was full of slaves; and I suppose there is to be found no injunction against that relation between man and man in the teachings of the Gospel of Christ, or of any of his Apostles." Now, in reply to this, it is sufficient to say, that this argument proves too much. It would justify highway robbery, arson, and a great many other crimes not specifically forbidden by Christ. He taught by inculcating great cardinal principles, as such—Do unto others as you would have them do unto you; be no respecter of persons; and, as one of the Apostles has very laconically said, the whole duty of man is expressed in one word, viz: "*Love thy neighbor as thyself.*" On this great principle of benevolence, we are assured, hang the law and the prophets.

Commodore Stockton's argument, Mr. Chairman, you have doubtless read, as it has been published and furnished in pamphlet form to the members of this House. The substance of it is this. That God has abandoned Africa; and the slave-trader, being more merciful, has stepped in to give relief; since, on the whole, as he says, the slave is better off here, safer, and happier, than he would have been in his own country! Again he says: We must not do evil that good may come; while, in the same treatise, he quotes the conduct of Joseph's brethren, in selling him into Egypt, to justify slavery! All I have to say in relation to this Commodorean sentiment is, that I think it very bad theology. It may not be improper for me, here, to remind the friends of this "peculiar institution," by calling it a "religious institution," you will be likely to defeat the passage of the bill, now reported in the Senate, "providing for the arrest and rendition of fugitive slaves;" as Congress has no power to return members of any religious communion from one State to another, or

pass any law supporting religious establishments, in any respect whatever.

But, Mr. Chairman, if this be religion, it must be the religion of the heathen. In fact, there is a striking resemblance. In obedience to the one case, the infant mind is quenched by throwing little children into the Ganges; in the other, the mind is quenched in the turbid sea of slavery. The Southern municipal laws forbid the education of the slaves, while their physical strength is carefully perfected, in order to a pecuniary profit. Sir, let me say, in all kindness, to these gentlemen, that I think this is a false religion—a religion that leads down to the chambers of death.

In discussing the subject of slavery, I have thought we do not keep sufficiently in view the great object of human existence. The remarks of my honorable friend from South Carolina, [Mr. ORR,] and the remarks made, in the early part of the session, by the honorable gentleman from Tennessee, [Mr. JOHNSON,] warrant this conclusion. They have both dwelt, with great emphasis, on the pecuniary advantages of this institution, both to the North and South, in the increased productions of labor, and the mutual advantages of trade—that in a state of slavery we can acquire property faster than we can in a state of freedom. Now, I am willing to admit that the acquisition of wealth is proper. The Constitution protects it, but it should be regarded as a means to an end. The highest object of a good Government is the moral and intellectual development of the people it seeks to govern. Man has ever been thought the noblest work of God; hear the exclamation of the Psalmist, "He is created but a little lower than the angels, and crowned with glory, and honor, and immortality!"

What, sir, is man, under our own observation? He is no less grand and powerful as we see him now. His genius is stamped on everything around us—in all the multiplied inventions and discoveries of the age. We see him riding upon the wings of the wind, commanding the lightning to carry his messages across the continent, which instantly obeys him! Not content with the analysis of earth, he ascends to other systems, and dwells among the planets. Resolved on still higher researches, he travels onward to the fixed stars, his mind expanding as it goes upward! What, then, must be the crime of dragging him down from these sublime heights of progress into slavery for life—and this for mere pecuniary gain? Sir, you may take from him his wife, his children, and friends, and put handcuffs on his wrists and fetters on his feet, and brand him as your property, after having so classed him in your statute books, in violation of the Constitution; yet he is still a *man*—he is still our brother.

Mr. Chairman, can it be possible that the Congress of this great Republic is prepared to pervert its powers by forging chains for millions yet unborn, by opening new fields and markets for slavery? God forbid that it should be so!

But if it is so to be, let me say to you all, Gentlemen of the House of Representatives of this American Congress, be not deceived. God is not to be mocked. If we sow to the storm of cruelty and oppression, we must reap the whirlwind of woe and tribulation. But, sir, I am dwelling too long on these interesting topics. I must pass on.

It has been stated on this floor, by an honorable gentleman from Missouri, [Mr. GREEN,] that our Government was founded in slavery. He says, "my purpose is not to add fuel to the flames that already threaten to envelop us in one general conflagration." I wish to say, sir, for the relief of this gentleman's fears, who thinks the Republic is about to be reduced to ashes, that he must have made a mistake in his reading—that he has taken the history of the Barbary States for that of the United States. The former, I believe, were founded in slavery; and, in the progress of their piratical warfare, they captured our American seamen in the Mediterranean, and sold them as slaves. But there is one fact which he ought to remember, and that is, that slavery was not then considered a religious institution. If it had been, we should have thought the engagement in the Mediterranean between the fleets of Decatur and Hammadi, which settled this matter, a strange sort of "communion." One other incident it would be well for us to remember. In the adjustment of that difficulty, full liberty was restored to the slaves, and, instead of slaveholders being rewarded for their crimes, they were compelled to make compensation for past injuries, and to give a bond for their good behaviour in the future.

I will now, Mr. Chairman, pass to a consideration of the Constitution as relating to this subject. It was well said, the other day, by the great champion of the Constitution in the other end of the Capitol, that this instrument made no provision for the delivery of fugitive slaves, and the extradition clause provides only for apprentices and minors bound to service or labor. We are, therefore, obliged to go out of the literal construction of the Constitution into an equitable view in order to reach the slave. What, then, is equity in relation to all the parties concerned? In order to answer this question, we must look at the circumstances that surrounded this whole controversy at the time the Convention was acting on this subject. In doing so, we find, as the Senator referred to [Mr. WEBSTER] further stated, that the Southern States were anti-slavery in tendency, and encouraging emancipation as fast as it was deemed practicable. The relation, therefore, between the slave States and the slaves, was considered in the light of guardian and minor, and the slaves were encouraged to hope that they would be permitted to enter a condition of freedom as soon as they could be fitted to enjoy it. It was thought proper that slaves under such circumstances, should be returned to their legitimate guardians or masters. To suppose any other constitutional view of the relation of servant and master, at that day, would be to convict James Madison, and the other illustrious

Free-Soilers of '76, of hypocrisy in refusing to let any word implying property in man go into the Constitution!

But how stands the case now? Most of the slave States have changed their character and purpose on this subject. Instead of seeking to ameliorate the condition of this unfortunate race, they have passed laws that doom them to perpetual ignorance as well as bondage, as the following extract will show:

"Any free persons who shall hereafter teach, or attempt to teach, any slave within this State to read or write, (the use of figures excepted,) or shall give or sell to such slave, or slaves, any books or pamphlets, shall be liable to indictment in any court of record in this State having jurisdiction thereof, and shall be fined, imprisoned, or whipped, at the discretion of the court, not exceeding thirty nine lashes."—*Vide Revised Statutes of North Carolina, 1830.*

Similar laws will be found in most of the slave States.

It is a curious fact, worthy of remark in this Christian age, that St. Paul received precisely the same penalty in his day for the very same crime—that is, for assisting to develop that intellect which God had given his children.

The relation this Government bears to this subject may be still further illustrated by the fugitive clause in the Constitution providing for the delivery of criminals fleeing from justice. This clause, sir, you are aware, is similar to the one of which I have been speaking. It imposes the same obligation on the Federal Government to deliver fugitives from justice; yet we should understand there is some limitation to the exercise of this power. Suppose some one of the States should establish by law a certain kind of religion, (as the Constitution only restrains the General Government on this subject,) and make its violation a State's prison offence, would Congress be bound to aid in returning a fugitive from such a law? Certainly not, although all such proceedings might not in the least conflict with the strict letter of the Constitution.

The true construction of law is to be found in this maxim: "The reasonableness of the law is the soul of the law." This is equally as good a rule for our guide in legislation as in jurisprudence. If, then, some of the States have perverted their prerogatives of government, it is no reason why the Federal Government should assist the States in the exercise of so gross a perversion of power, as that which thus seeks to blot out the intellect of a whole race, to the turning of men into brutes, and thereby robbing itself of its chief element of power—the intelligence of the masses!

We should always bear in mind that the object of all good government is to protect the weak against the invasion of the strong. It was so understood by the Convention. Hence the preamble: "We, the people of the United States, in order to form a more perfect union, establish justice, provide for the common defence, promote the general welfare," &c.

But a constitutional argument is sometimes claimed in support of slavery, from the clause fixing the basis of representation in Congress, as

well as from the clause authorizing Congress to suppress insurrections.

The clause that cuts off two fifths of the population in every State, so far as its people are kept in ignorance and slavery, is an argument itself against slavery. The other clause touching insurrections is equally applicable to free as well as slave States. The Constitution, in order to be pro-slavery, should hold the Federal Government responsible to do some act in support of slavery. It is not sufficient that it occupy a negative position. But, sir, let us pass to a rapid view of the one only remaining clause claimed as supporting slavery. I refer to the one withholding jurisdiction from the Federal Government over the foreign slave trade for the term of twenty years.

The compromises of that instrument have been greatly misunderstood. It was a compromise as to jurisdiction rather than of principle. We have been laboring under the mistakes of a false education on this subject. The argument attempted by the gentleman from Georgia, [Mr. TOOMES,] as also by the gentleman from Kentucky, [Mr. MOREHEAD,] like the quotation from Scripture by the distinguished Senator from Massachusetts, [Mr. WEBSTER,] to which I have already alluded, proves too much, as the lawyers sometimes say of witnesses. The argument that would hold the General Government responsible for the continuance of the foreign slave trade, at a time when the power to control it had not yet been surrendered to it by the States, would hold the Government equally responsible for the existence of highway robbery, or any other crime which any State might see fit to tolerate while claiming jurisdiction. Just as rightfully could the United States and England be severally held responsible for peculiar internal regulations of each other, which had not been made subjects of conventional agreement. Now, had the several original States, parties to the constitutional compact, given up to the Confederation the control of the foreign slave trade, and then had the Confederation deliberately assented to the continuance of the slave trade for twenty years, the case would have been vastly altered, and then the responsibility would have been clearly upon the General Government. So it would have been responsible, had the traffic been tolerated *after* the termination of the twenty years over which jurisdiction had been retained by the States; but we see that, the moment the Federal Government possessed the power of control, it abolished it; and it did so with an emphasis, by declaring it *piracy*, and punishing it accordingly. I am, therefore, clearly of opinion that the Constitution of the United States is an anti-slavery and not a pro-slavery instrument.

What, then, Mr. Chairman, ought we to do? Why, sir, report the bill of my colleague, [Mr. DORR,] providing for the admission of California, without delay, and then put it upon its immediate passage. We ought at once to establish territorial Governments in New Mexico and Utah, and order a divorce of the Federal Government from the support of slavery. Sir, when I reflect upon the hardships and sufferings of the early pioneers of

California—on the intelligence and enterprise of her people—on the liberal and enlightened constitution she has formed, with its prohibition of slavery, and the adoption of the Homestead Exemption—and the hesitation and delay of Congress to recognise in her the great American principle of self-government, I am ashamed of my country!

Sir, if Congress properly appreciated the vast consequences connected with this important event, which marks an era in the history of this continent, it would pass the bill of admission at once, and take a recess that we might have a day of jubilee over the literal fulfilment of the prophecy that a nation should be born in a day, and that, the shores of the great Pacific, where darkness has had universal sway for centuries past, where the vast wilderness which connects her with us is beginning to bud and blossom at the rapid spread of political knowledge. This is a tremendous leap of that civilization which will reach the islands of the sea, and the vast expanse of the eastern continent. We have only to call to mind the fact that the experiment of ocean steam navigation has proved so successful in connection with American enterprise, to grant the belief that there will soon be hundreds of steamers running on the Pacific, connecting the commerce of Australia, Pekin, and Nankin, with that of our own rich valley of the Sacramento. We have already twelve or fifteen steamers running between Panama and San Francisco. We should bear in mind, too, that the Pacific is admirably adapted to this kind of navigation. Sir, it is to me that none of us can contemplate this fine picture of enterprise rearing a great State of the Rocky Mountains, without feelings of pride that its founders were Americans. Neither should we be unmindful of the highly important social, political, and commercial advantages growing out of this state of things, all tending to promote the best interests of mankind. Shall we, then, refuse to fraternize with this noble State, possessing, as she does, all the attributes of a great and glorious Republic?—a State that has sprung into existence with a magic genius and beauty far surpassing Venus herself, as she sprung from the foam of the sea. Then let us welcome her to our halls of legislation! Let us welcome her to an equal participation in our commerce, and all the blessings of the Federal Union! Let us receive her as she stands, as she may become one of the brightest gems in the casket of the Confederacy.

The time is not far distant, when there will be a grand train of States extending from Missouri to California, uniting together, by a great railway, the Mississippi with the gold-filtering rivers that flow into the Bay of San Francisco. Sir, in view of these grand results, it would seem that our patriotism and our national pride would stimulate us to give to our embrace this generous and noble State. Let, then, the bill be forthwith and joyfully passed!

Chairman, the future destiny of New Mexico and Utah shall be alike glorious with California—they share the parental care and kindness of the Government. The one may be made in-

strumental in the redemption of our red brethren of the Northwest, while the other shall fix on Mexico, and all South America, the imprint of our institutions. What a grand scene to contemplate! This whole continent swarming with republics, united in one great Confederation of States.

We all know that New Mexico is now in a perilous condition—that she is exposed to the ruthless hand of barbarism on one side, and an enemy that seeks to prostitute her, on the other, by fastening upon her a cancerous ulcer that shall gnaw to her very vitals. Sir, we have only to advert to the history of the wrongs inflicted on New Mexico, to have our sympathy and most profound sense of justice deeply excited in her favor. What pledges did we make to her at the commencement of the Mexican war? We told her that our object was to secure to her, more fully, the blessings of liberty, and a higher civilization. On her first application to the American Senate, how shamefully was she repulsed? She had received our promises in good faith, and had petitioned, in the most respectful manner, for the organization of a Territorial Government, instead of the one we had wrested from her. In this petition she prayed that all her citizens might be protected against slavery. How was she received by some of our oldest Senators? Sir, she was repulsed and insulted with offensive language, and, to this hour, she has been unable even to secure a favorable hearing of the President. She comes, now, to the House of Representatives, (the popular branch of our National Legislature,) and demands that our pledges be redeemed. If we continue to refuse, under all these circumstances, to do justice to New Mexico and Utah, let us cease to call ourselves Republicans. Sir, the idea is monstrous—that our faith to New Mexico and Utah shall be violated.

I know that some of our great statesmen say that the Wilmot Proviso, in connection with these territories, is an idle abstraction. I look upon the Proviso as neither more nor less than one of the cardinal principles of the Declaration of Independence; hence it is proper to be urged in the organization of civil Government everywhere. The determined opposition to it is the best proof of its necessity.

We are as much opposed to Mexican and American slavery as to African slavery. Hence we go for protection to all. As regards our sovereignty over these territories, it seems to me that there can be no doubt. One of two things is certain: either Congress or the territories possess the sovereignty. If the latter, they have a right to keep off our jurisdiction altogether. They can join any other power, if they choose. I have never been able to see the force of the argument that seeks to make a distinction between a property and a political right, where we purchased both from Mexico. We certainly could not maintain a property right in the absence of a political one. Neither can I see, as some have argued, that the idea of sovereignty over the territories existing in Congress conflicts with the

theory of self-government. I consider the relation existing between the General Government and the territories, the same as that of parent and child. There is a proper time when the territory shall pass the line of minority, just as in the case of the child, and be entitled to self-government. If you carry the principles of self-government as far as some, a handful of people, unprincipled in character, might step in and carry on a piratical sovereignty incompatible with the true interests of the country. In every view of this subject, then, it seems to me that imperative duty requires that we should immediately organize such Governments in these territories as will protect all the citizens thereof. I mean in that term to include all, without regard to race or color. My sense of justice and of right allows none of those narrow distinctions contended for by so many around me.

I pass now, Mr. Chairman, to another kindred topic. I allude to the question of the abolition of slavery in this District. Shall this Congress shrink from its duty, because a lash is held over it? Has it no self-respect? Has it none of the attributes of a free and enlightened Government to reflect, by example, upon other nations? Sir, slavery should not be allowed to breathe here another hour. It should be abolished, at whatever cost. Having once ridden the District of this stigma, we ought to educate all, protect the people with a homestead exemption law, enfranchise its citizens, establish a District Legislature, and give the people a Delegate in Congress, instead of having the legislative wants of the District remain "everybody's business," as at present. They would be discharged in a more intelligent and efficient manner by those who know their own wants. If good government should be maintained anywhere, it, by all means, ought to be here. The government of this District should be a perfect model, and a fitting illustration of the very principle of self-government. Here the diplomatic agents of foreign Governments get their views of the practical workings of our republican institutions.

"This would be well enough," says one, "but I have my fears that such a measure would be unconstitutional." Mr. Chairman, this word "unconstitutional" has become about as much of a scarecrow as the words "fanaticism" and "dissolution." I was amused, the other day, with the debate on the Census bill. It was thought, by some gentlemen, to be "unconstitutional" for the marshal, in taking the census, to gather up information as to the business resources and the pecuniary interests of the country. Why, sir, the United States marshal in this District may be authorized to take a man's wife and children, and even the man himself, (if he cannot prove that some slaveholder has said he might go free,) and put them in prison, and sell them, for jail fees, into slavery for life! We have other laws sanctioned here by Congress, that operate in this wise. If you take a man's cloak without leave, you are imprisoned for theft; but if the cloak has a man in it, and you take the man and the cloak both, it is not considered any crime! The kid-

napping of the man sanctifies the taking of a cloak!

But our Presidents, too, are much inclined to indulge in these nice constitutional scruples. Polk had his in regard to the General Government improving our harbors, but he had no scruple about the propriety of exploring the Dead Sea of General Taylor. In his annual message he recommends Congress to use its best endeavors to elevate the colored people in the Sandwich Islands. I suppose he must have had his constitutional scruples in regard to conferring the same benefits on his own countrymen who are in a similar condition at home—yea, in this very District—his message was silent on the subject. What a message! Talking of gnats and swallowing of camels! The gentleman from Georgia, [Mr. STEPHENS,] a few years since, when opposing the Census bill, because he sought other information than the enumeration of the people, remarked, in a very eloquent speech, that this Government had a great mission to fulfill. Well, sir, I believe so, too; but it is to be fulfilled through his interpretation of the constitution, nor through the creed introduced by the gentleman from Pennsylvania, [Mr. STEPHENS,] which denies the right of the Federal Government to teach by example. Sir, if ever we are to fulfill this great mission, we must throw off these swaddling clothes of bigotry, of cruel oppression, take our proper position in the ranks of nations, and give a hearty support to every great measure of reform. It will hardly be long before we shall have to admit a Democratic State into our political communion, but she has a republican constitution—a constitution more intelligent and humane than our own. We have sole jurisdiction for this District, we have sole jurisdiction. Sir, can we not learn a profitable lesson from St. Paul, who said, "I was a child, he spoke as a child, he thought as a child. But when he became a man, he put away childish things." Would it not be well for us to imitate his glorious example, by putting away childish things, asserting our manhood, and entering upon the discharge of all the high duties assigned us!

But, sir, after all the absurdities of which we have been speaking are exploded, the great principle of Compromises comes forward with his system of moral ethics. After admitting the New Orleans letter, that slavery is a piracy against the rights of man, he has attempted to show that this Government should be protected for its continuance in the District of Columbia.

In the letter referred to, he said:

"An argument, in support of reducing the African to slavery, is sometimes derived from their alleged intellectual inferiority to the white races; but, if this can be founded in fact, (as it may be, but which I shall not examine,) it would prove entirely too much. It would follow that any white nation, which had made greater advances in civilization, knowledge, and wisdom, than another nation, would have a right to reduce the latter to bondage. Nay, further: if the principle of superiority be true, applicable to races and to nations, what is to prevent its being applied to individuals? And then the wisest man in the world would have a right to make slaves of all the rest of mankind."

"If, indeed, we possess this intellectual superiority, profoundly grateful and thankful to Him who has bestowed it, we ought to fulfill all the obligations and duties which it imposes; and *these would require us not to subjugate or deal unjustly by our fellow men who are less blest than we are, but to instruct, to improve, and to enlighten them.*"

Sublime sentiments, embracing the principles of truth and of justice, of hope and immortality! These are sentiments for which the Apostles and the long line of martyrs suffered and died—sentiments, for the emodiment of which, the fathers of the Revolution pledged their lives, their property, and sacred honor, in the support of a seven years' war, which threw off the yoke of despotism. Yet, strange as it may seem, the author proposes now to sacrifice them all on the altar of slavery! Yes, sir, these sentiments we are now called upon, in this great struggle, "to compromise," to throw away as an idle abstraction—sentiments embracing, as they do, nothing less than a sense of obligation to God and to our brother. Hence the argument of the honorable Senator, who said, when urging the North to make these sacrifices, "I might ask if you larger and more expansive concessions than from the slave States? And why? You are numerically more powerful than the slave States. You are, in point of numbers, greater; and greatness and magnanimity should ever be allied together."

Mr. Chairman, in order to see more clearly the nature of this greatness and magnanimity, let us call to mind the case of William Box Brown, who had so great a love for freedom as to consent to be put into a box three feet long, two and a half feet wide, and two feet deep, and in this confined and distressing condition to be conveyed as a package of goods from Richmond to Philadelphia—a part of the time with his head downwards. Here, sir, was one of our own countrymen, free from any charge of crime, and yet he was obliged to pass through the very metropolis of the Republic, which boasts of its liberty and equality, as a bale of merchandise! Shame, shame on the Republic! Take another illustration of this kind of greatness and magnanimity—I mean our violation of the flag of truce in the capture of the bold and chivalrous Osceola, once already referred to, who was defending his wife, his children, and his countrymen, from outrage and insult in the slavery-supporting Florida war. Sir, if this be the "greatness and magnanimity" asked for, I pray that our country may be less distinguished for such greatness and magnanimity hereafter.

But, sir, this Compromise measure, that seeks to identify the Federal Government with slavery by its continuance in the District of Columbia, reverses the generally-acknowledged system of jurisprudence throughout the civilized world. While the strict letter of the Constitution, which is just and good, protects the rights of every person wherever the General Government has full jurisdiction, it is urged that we should go into a court of equity to do a wrong, when we have the power to do right. We are told, in effect, that we are under a moral obligation to do wrong. Strange philosophy, which imposes upon us a greater obligation to do wrong than to do right! Sir, it is

the most absurd solecism imaginable! It is unworthy of the mind that conceived, and of the lips that uttered it.

Now, a word further in relation to the declaration in Mr. Clay's New Orleans letter, that the colored people have as good a right to enslave us as we to enslave them. Suppose some of the members of this House, who have sons and daughters, should have them forcibly taken and sold into slavery, would they, I ask again, be willing to "compromise" with a people that would commit such an outrage on their families, by consenting that a part should remain in slavery, on condition that the others should be restored? No, sir, no! They would revolt at the idea. And yet these are fair deductions from the premises laid down in the letter to which I have referred—this is the gross inconsistency of this recent appeal to our "magnanimity!" No, Mr. Chairman, we must not "compromise" Truth! We must not do evil that good may come. We should rather imitate the noble Kossuth, who, when required by the Sultan to "compromise" his sentiments, replied, "*My answer does not admit of hesitation. Between death and shame, the choice can neither be dubious nor difficult!*" Sir, this is the only safe rule by which to square our conduct at all times and under all circumstances.

But, hear what our own immortal Jefferson said on this point:

"With what execration should the statesman be branded, who, permitting one half of the citizens thus to trample on the rights of the other, transforms those into despots, and these into enemies—destroys the morals of the one part, and the love of country of the other."

Why, sir, in certain localities, we have proclaimed slavery to be piracy. Is it any less sinful here? Let me read an extract from a speech delivered by a slaveholder, in the recent Convention of Kentucky—I mean the Hon. Mr. Turner:

"The whole civilized world has turned its back upon the African slave trade; even Portugal is now coming into civilization and Christianity upon this subject, if I may be allowed the expression; she is placing herself by the side of England, and of France, and of all the enlightened nations of the earth. And what is there in the African slave trade that is worse than to go into another State, and to bring slaves from thence, tearing mothers from their children, separating husbands from their wives, without any offence charged against them; driving them along in chains, as if they were beasts of prey? Is it not a scene that no man, unless he is determined to engage in this traffic, can look upon without feelings deep and powerful?"

Sir, so long as we render such national facilities for upholding this traffic, by keeping, within sight of this very Capitol, a jail, and authorizing the United States marshal to keep slaves for slave traders, at the rate of thirty-four cents a day, and even keep our own citizens confined in this same prison for acts of humanity towards those thus treated, and that in violation of the clause of the Constitution which expressly declares that no man shall be deprived of this liberty, unless he shall be guilty of crime, so long may we expect to be a by-word and a hissing throughout the world. We sympathize with the Roman and Hungarian patriots, while condemning our own citizens for the same noble deeds! Sir, who are the Kossuths, and who the Austrians, in the contest to which I have refer-

red? Sayers and Drayton are now incarcerated for receiving on board the *Pearl* those who had a right, guaranteed them by the Constitution, to go and come at their pleasure. Sir, I have visited these our afflicted countrymen in prison, and given them strong assurances that the people sympathize with them in their affliction—that hundreds of petitions are constantly being sent to Congress for their relief. I told them that the time was near at hand when the Government would be wrested from those who now violate the Constitution of their country, and be placed under the control of such as would wield it for the protection of *all* its citizens to the full extent of our Federal jurisdiction. This, sir, *must* come before the true mission of this Union is fulfilled, and before we shall be recognised as a consistent republic by all enlightened nations.

But, Mr. Chairman, among the various classes of measures, directly and indirectly involved in the present controversy, to which I have alluded in the course of my remarks, I have but slightly touched upon a very interesting topic, now occupying a large share of public attention, and which justly deserves more extended notice. I refer to the highly important subject of *Land Reform*. I look upon the series of measures of relief, advocated by the friends of this movement, as broader in their application, more efficient in their operation, and more glorious in their results, than any system or creed heretofore presented to the American people. They not only maintain the universal right of man to life and liberty, but they have widened this principle into a more expansive view of the social and political duties and responsibilities of men—bringing, at the same time, in a conspicuous manner to the public eye, the legitimate means designed by God for the preservation and perpetuation of the richest of Heaven's blessings. The doctrines of this intelligent and earnest class of reformers, viz: the freedom of the public lands to actual *landless settlers*, land limitation, and homestead exemption, present, to use the figure of the late distinguished Senator from South Carolina, the only true law of "equilibrium" possible in our political structure of Government. It does not balance, like the grist of the deacon, the meal in one end of the bag and a stone in the other; nor like Mr. Calhoun's view, with slavery in one side of the scale and liberty in the other. It is rather in harmony with the Great Unoriginated Mind—the Universal Father—who looks upon all his children, without reference to condition, with the tenderest emotion. Sir, the Gerrit Smiths, the Evanses, the Van Amringes, and their generous associates, have already more than realized the most ardent hopes of their friends, in enlightening and correcting public sentiment on this subject. They should not only be appreciated as friends of the landless poor in our *own* country, but as benefactors of *all* mankind. A great number of the States have, as I have already remarked, embraced these humane principles, and passed laws which secure to their citizens, in all vicissitudes, a home to shelter them, and to protect them from the grasp of the merciless creditor.

But, sir, these are but drops before a more plen-

tiful shower, when compared with the vast and indescribable blessings that are yet to flow from more extended application of these principles. I have but to look at these facts to get some idea of the rich legacy God has in store for his landless poor, both of this and the other side of the Atlantic, viz: the fifteen hundred millions of acres of public lands lying *waste* between this and the Pacific ocean. I find no little consolation in the hope that these expansive acres will yet present an outlet, as well as an aid, to the disenfranchisement of the millions of Lacklanders whose starved groans come to us upon every breeze, as it wafts its way across the Atlantic. To all such I would say, Come, and welcome!

Mr. Chairman, I fear this sentiment will not meet a response from some gentlemen who occupy seats on this floor—few in number, thank Heaven they are—who would base narrow distinctions upon the mere accident of birthplace. But I know of such feeling. I hail every man of every clime as my brother, and as equally entitled to share God's common bounty, spread out in a common soil. But, sir, notwithstanding these measures of reform are fast winning the hearts of the people, we are told by some of our Southern friends, that they are Utopian and chimerical, tending to anarchy and irreligion, closely allied in principle with the odious proviso, which we are told, if applied to the Territories, will necessarily oblige the slave States to withdraw from the Union, and, for the protection of their slave property, to establish a Southern Confederacy. Sir, let me, in passing, ask our friends, who entertain these views, what advantage would result from such a step, even were it mutually agreed upon? You are all free traders, and therefore you would certainly not object, in such an event, to a reciprocity of trade with the States left behind, and also to postal arrangements. We would be agreed in preventing the establishment of any monarchical government on this continent. Well, then, what are you to gain? Would not the new relation be just about the same that exists now? You are already independent States, excepting jurisdiction over specified subjects, which I have just named, including in addition, a few incidental powers. The only effect of this course, in my opinion, would be to hasten forced, instead of voluntary emancipation in the slave States themselves. I am, for this and other important reasons, opposed to a separation of these States.

Mr. Chairman, it is the true policy of nations as well as of individuals, to shake hands with the world, approving what is right, and in a respectful manner condemning what is wrong; not to cut off a part of the human family from diplomatic and social relations, as the Senate's Austrian resolutions proposed—relations that should ever be ranked among the most efficient means for the civilization of the world. We ought not to be destructive, but restorative in our movements. Our object should be to improve each other. If the free States are deluded, and under the darkness of superstition, the South should seek to enlighten them. So of the slave States. If they er-

North should seek to do them a like favor. If not, then, remain together, and let "agitation" go on? Let me, then, exhort our more brethren throughout the Union not to be seduced, even should the Southern Convention propose to dissolve the Union. I had much rather see such a step as that taken than stagnation! A calm wind is ever better than a calm. The physicians, whose medicines produce no effect, is a calm. Besides, should such a rash measure as dissolution be resolved upon, the effect would be the result of another convention—one more prudent measure, and which would suggest more effective means for the protection of the slave States. And I would take occasion, Mr. Chairman, to say to those who are endeavoring to throw odium and reproach upon the Nashville Convention, You are doing great injustice. Sir, while I see the tendency of the age in the diffusion of anti-slavery principles everywhere, my great surprise is, that the Southern States are not more alarmed! Look at the rapid spread of these principles since the Mexican war. And here let me remind our Southern friends of the far-seeing Calhoun's thought of this war, when he said that Mexico was to us "forbidden fruit," and that "the penalty of eating it would be to subject our institutions to political death." Calhoun, in my opinion, never expressed himself with so few words. The present controversy proves it. Mr. Jefferson, too, I believe, saw distinctly with his prophetic eye, when he used the following familiar language:

"The liberties of a nation be thought secure when we have secured their only firm basis?—a conviction on the part of the people that these liberties are the gift of God! They are not to be violated but with his wrath! Indeed, I have never known a government that refused to submit to the will of God; that cannot sleep forever; that the Almighty has no alternative but that he can take sides with us in such a contest."

Let me say, in all kindness to our Southern friends, if the view taken by Mr. Jefferson and Calhoun be correct, and they refuse to adopt measures to arrest the growing evils of slavery, there is a point of time, which they or their posterity must reach, that will be truly appalling! Anxiety then will not be concerning their property, but it will be for their wives and children. Then will be realized the graphic description of the distinguished Senator from Kentucky, [Mr. CLAY,] which is not too highly drawn.

"Mr. President, that dwelling-house now wrapt in flames, listen, sir, to the rafters and beams, which fall amid the crash; and the flames ascending higher, as they tumble down. Behold those children, who are flying from the calamitous scene with their shrieks and lamentations imploring high Heaven! Whose wives and children are perishing! * * * In the one place, then, we behold sentiment, sentiment, alone. In the other, property, life, and all that makes life desirable and

valuable objects, in the mind of the Senator, seem to be the results, unless he shall succeed in arresting the tendency of the spirit of the age to liberty. That his arm will prove impotent, this, I feel sure. I hope, therefore, to see the Kentucky Senator, that our

friends who are so deeply interested in this matter, will put "sentiment," a glorious sentiment, in both sides of the scale—such sentiment as is expressed in the New Orleans letter, to which I have adverted.

Mr. Chairman, I claim no jurisdiction for the General Government over this subject in the Southern States. I have only spoken of your internal affairs, because the debate invited me there. I do not think any of the Northern States would alter the Constitution to-day, if they had the power. To give the Federal Government jurisdiction over the municipal regulations of the Southern States, would be to throw upon it the responsibility, without conferring the power. The prerogatives of a confederation like ours, would be ineffectual in internal regulations over a country so large in extent. The vast influence which this Government *should* exert, both at home and abroad, is only to be effected by a strict administration of justice to the full extent of its delegated powers, the pro-slavery creed of the gentleman from Pennsylvania, [Mr. Ross,] to the contrary notwithstanding. In my opinion, the partition line of jurisdiction between the Federal and State Governments was most judiciously drawn.

But, sir, I pass to a subject to which I have already incidentally alluded—I mean the too well concerted plan, put in operation by an extensive correspondence throughout the States, to concoct some "compromise" measure—some magical "adjustment"—that shall finally extinguish the last hope of personal liberty to the poor slave, while, if carried out in principle, it would crush the spirit of civil liberty throughout the world.

Sir, we have many men in public and private life, great in talents, great in experience, great in the councils of the nation, enjoying a large share of public confidence, who believe, or assume to believe, that the public mind has broken away from the proper restraints of order and propriety, led astray by the wild vagaries of a spirit delusive in its character and pernicious in its consequences; and that it is their high mission to hush to repose the spirit of agitation that now pervades the whole country. With all due respect to the opinions of these, our distinguished countrymen, allow me to say, that I believe they are themselves the deluded ones—that they are destined soon to see their hopes pass away like the early cloud and the morning dew. Sir, if they succeed in passing a law that public opinion shall be arrested in its triumphal career, it will have just about as much effect as the astronomical decree of the ancients, that the earth should not move around the sun. Should this Congress finally fall into so gross an absurdity, there would arise a host of Free-Soilers—Whigs and Democrats—who would, like Galileo, stamp their feet and cry, "Still it moves!" Nay, sir, these men might go so far as to dissolve the Union, if it were possible, to accomplish their purpose; but they will utterly fail. They cannot "compass" it. The progress of truth is not impeded by geographical lines; neither is it controlled by political jurisdiction, any more than is atmospheric pressure. It seems to me that the

class of politicians who feel so confident of the consummation of their wishes, do not comprehend the diversified yet concurrent agencies that are now at work. Look, sir, at the mighty power of the press. Probably twelve or fifteen hundred of these engines of agitation are now in operation in these States, some of them striking off twelve thousand sheets per hour, furnishing new suggestions and materials of thought for the million. Railroads, steamboats, and lightning telegraphs, are running in every direction, regenerating and assimilating the varied character of our people. The time is not far distant when these subtle agencies will cover the whole globe with a complete network of sympathy, so that a great truth uttered in America will be instantaneously heard in Europe, Asia, and Africa. Sir, we are on the eve of a mighty moral revolution. To think of resisting the march of mind and the progress of freedom, is as idle as it would be to undertake to drive back the thundering cataract of Niagara, to reverse the laws of gravitation, or to smother the fires of Mount Vesuvius with a gauze veil. No, sir, no! The sublime truths proclaimed by a Garrison in the streets of Boston, with a halter around his neck; by a Birney when his press was thrown into the Ohio; by a Lovejoy, when he fell a martyr to the freedom of the press, have commingled in a Current of Reform which is rolling on as resistless as that of the great Father of Waters.

But, sir, the owner of that submerged press had an associate who shared with him the trials of his darkest hour. Where is he now? Driven from the field by the opposition to which his early sufferings for Truth's sake exposed him? No, sir, no! Behold him here in your very midst—in this, the very citadel of your power—planting the batteries of truth anew, and more firmly and skillfully than before.

Behold him in the unpretending man, yet heroic editor of the *National Era*, (Dr. Bailey,) with its list swollen, in three and a half years, to more than fifteen thousand, and yet tending upwards still. Behold him, as he stands unscathed by a mob, who knew not what they were doing, in all the moral dignity and force of his character, dispensing light and truth in all directions—southward as well as northward—not the borrowed light of some lunar planet, but light original, clear, and penetrating! Behold him at this very hour, on the point of a prouder achievement still—on the eve of driving Error from her darkened recesses into open day, and into open conflict with Truth, in the arena of public discussion with an able rival press!—an advent which, in all frankness, let me say, I shall hail with unaffected joy. How truthfully may be applied the oft-quoted sentiment of Bryant, (himself one of the battlers in the noble sphere of Free-Soil Truth,) which teaches that Truth crushed to

earth shall rise again, while Error writhes in endless pain and hopeless prostration.

But, Mr. Chairman, while we mention the names of these mental heroes and moral patriots we cannot forget the great pioneer champion of the Right of Petition—John Quincy Adams. I believe his Presidential Administration stands fair; but you may add to it the fame of Napoleon and the diadem of the Cæsars, and, when compared with his Congressional career, it dwindle into insignificance. The former was an administration of existing public sentiment—the latter an aggressive movement, ending in a glorious triumph over despotism, in behalf of the people. He needs no monument of brass, nor of stone, to perpetuate his memory. His name is written among the stars of the Confederacy; and indelibly recorded upon the history of our country; and it will be written hereafter on the hearts of an improved posterity. His mantle has not fallen upon any one of your mere trading politicians, but to the hands of the people it has been retained—they whose right it is to rule, and who yet find a successor worthy to wear it.

I have thus, Mr. Chairman, endeavored to lay low, to some extent, this debate, which has taken so wide a range, on the interesting question before the committee—the admission of California, a sovereign State, into the Union. In doing so, it has been my object to express the honest convictions of my own mind, with a proper respect to the opinions of others. I am aware that some may think that so humble an individual as myself has been too presuming in thus dissenting from, in some instances attempting to refute, opinions expressed by leading men, some of whom have long exerted an extensive influence over the affairs of State. But I trust they will bear me, when they call to mind that what I have said has been spoken in self-defence—in vindication of sentiments with which I am proud to be associated, and which have been attacked and denounced as if really at war with the true interests of our country.

And now, sir, before I close, let me briefly appeal more especially to those members of Congress who represent the Northwest. I wish to tell them, that I consider this a great struggle between Labor and Capital—between Aristocracy and Democracy—between Despotism and Liberty. The strength of the two parties, in this great contest, is to be tested on the question of receiving California into the Union, and organizing such Governments in the Territories of Mexico and Utah as will protect all the claims thereof. The Northwest expects every man who sits on this floor, in the decision of this momentous question, to do his duty. With less will she be content.

Sir, if any one of us had doubts in regard to duty on this subject, it would seem that they might be easily removed by calling to mind the associations of home, where we share so largely in the bounties of Heaven. Let me remind gentlemen, who represent the people living under the Jeffersonian Ordinance of 1787, of the great

* The paper here alluded to, *The Southern Press* has since appeared, under the editorial control of Ellwood Fisher and Edward De Leon—said to be gentlemen of great editorial ability.

s and rivers of the Northwest — the former lead out in such beauty of adornment and proportion of fruitage — the latter dotted with hundreds of commerce-bearing steamers — and ask them if they can throw *their* influence on the side of driftless slavery! Forbid it, Heaven! We, we all men, know the value of freedom. Let us see to it, that *our* votes do not aid to deprive others of its inestimable blessings. Let us remember what "free labor" has done for us, and that we degrade it not by contact with slavery where. Shall we, as stewards of the People, compromise" away the rights of our Pacific brethren, or refuse to pass laws to protect them, when it is the avowed purpose of others to trample them under foot—and that, too, in territories known rights of whose conquered citizens are especially trusted to our plighted care? Forbid! Before I would do so vile an act, I would suffer all the tortures that the most depraved mind could invent.

Important consequences, my associates, hang from the decision of the hour—not only to the cause of personal freedom in our own beloved country, but the cause of civil liberty on the other side of the Atlantic. If we meet the crisis manfully and

unitedly, we shall triumph speedily, and secure the grateful thanks of our constituents and of our country. But, if we falter now, we shall richly deserve the execrations of mankind.

Mr. Chairman, let me say, in conclusion, that Providence seems to have opened to us a rare field for the acquisition of true national greatness. If we properly appreciate and enter at once on the fulfilment of the manifest destiny of this Republic, we shall become the emancipators of not only our own enslaved countrymen, but the Liberators of the World. We shall present an asylum indeed for the oppressed of all nations, instead of a prison-house for the innocent and unoffending.

Let us, then, be just and generous to California, to Utah, to New Mexico—to all who need our aid. A prompt and enlightened policy on our part would promote the disenthralment and elevation of Mexico, Central and South America, and even the Islands of the Sea, until we should finally meet and fraternally embrace our British brethren on the Eastern Continent, and thus assist to encircle the whole globe with the Anglo-Saxon race, speaking one language for the expression of common wants and wishes, and for the proclamation of a common and a glorious aim.

